

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MICHAEL RODIO, )  
                        )  
Plaintiff,         ) CIVIL ACTION  
v.                    ) NO. 04-10006-JGD  
                        )  
R.J. REYNOLDS      )  
TOBACCO COMPANY, )  
                        )  
Defendant.         )

**SCEDULING ORDER**

Following the initial scheduling conference held today pursuant to Fed. R. Civ. P. 16(b) and Local Rule 16.1, it is hereby ORDERED as follows:

1. Plaintiff shall serve all initial disclosures required by Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A) by **March 15, 2004**.
2. All fact discovery shall be completed by **September 13, 2004**.
3. The next status conference is scheduled for **Wednesday, September 8, 2004 at 10:30 A.M.** At that time, the parties shall be prepared to discuss:
  - (a) The status of the case.
  - (b) Scheduling for the remainder of the case through trial.
  - (c) Use of alternative dispute resolution ("ADR") programs.
4. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph (3) above. The parties shall just indicate if an agreement has been reached to utilize ADR, the respective position of each party does not have to be identified.

/ s / Judith Gail Dein

---

Judith Gail Dein  
United States Magistrate Judge

DATED: March 1, 2004